

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID BLISS,

Plaintiff,

vs.

BNSF RAILWAY COMPANY,

Defendant.

4:12CV3019

AMENDED PROGRESSION ORDER

The parties' joint proposed progression order, (Filing No. 68), is accepted, and the progression order deadlines are amended as follows:

IT IS ORDERED that:

- 1) The jury trial of this case is set to commence before Cheryl R. Zwart, United States Magistrate Judge, in Courtroom 2, United States Courthouse, Lincoln, Nebraska at 9:00 a.m. on **April 15, 2013**, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **March 26, 2013 at 1:00 p.m.**, and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on March 25, 2013. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) A telephonic conference with the undersigned magistrate judge will be held on **February 19, 2013 at 10:00 a.m.** to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is March 12, 2013. Motions to compel Rule 33 through 36 discovery must be filed by February 26, 2013.

- 5) The deadline for amending pleadings and/or supplementing expert disclosures, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is December 15, 2012.
- 6) The deposition deadline is March 29, 2013.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is March 1, 2013.
- 8) Plaintiff's response to defendant's motion in limine and *Daubert* motion (Filing No. 55) shall be filed on or before March 14, 2013.
- 9) Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.

November 12, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge